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EXAMINER

LUU, MATTHEW

ART UNIT

PAPER NUMBER

2672

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14

Please find below and/or attached an Office communication concerning this application or proceeding.

**Office Action Summary**

Application No.

09/808,476

Applicant(s)

CHUI, CHARLES K.

Examiner

LUU MATTHEW

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

**Period for Reply**

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133).
- Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

**Status**

- 1) ☒ Responsive to communication(s) filed on 20 May 2004.
- 2a) ☒ This action is **FINAL**. 2b) ☐ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

**Disposition of Claims**

- 4) ☒ Claim(s) 1-5, 8-16, 19-28, 32-34 and 37-45 is/are pending in the application.
- 4a) Of the above claim(s) 37-45 is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_\_ is/are allowed.
- 6) ☒ Claim(s) 1-5, 8-16, 19-28, and 32-34 is/are rejected.
- 7) ☐ Claim(s) \_\_\_\_\_ is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

**Application Papers**

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on \_\_\_\_\_ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
- Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
- Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

**Priority under 35 U.S.C. §§ 119 and 120**

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some \* c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
  2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
  3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- \* See the attached detailed Office action for a list of the certified copies not received.
- 13) ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. § 119(e) (to a provisional application) since a specific reference was included in the first sentence of the specification or in an Application Data Sheet. 37 CFR 1.78.
- a) ☐ The translation of the foreign language provisional application has been received.
- 14) ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. §§ 120 and/or 121 since a specific reference was included in the first sentence of the specification or in an Application Data Sheet. 37 CFR 1.78.

**Attachment(s)**

- 1) ☐ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☒ Information Disclosure Statement(s) (PTO-1449) Paper No(s) 13.
- 4) ☐ Interview Summary (PTO-413) Paper No(s). \_\_\_\_\_.
- 5) ☐ Notice of Informal Patent Application (PTO-152)
- 6) ☐ Other: \_\_\_\_\_.

## DETAILED ACTION

### *Election/Restrictions*

Restriction to one of the following inventions is required under 35 U.S.C. 121:

- I. Claims 1-5, 8-16, 19-28 and 32-34, drawn to scaling an image at different resolutions, classified in class 345, subclass 660.
- II. Claims 37-45, drawn to encoding an image using wavelet-like encoding as a plurality of bitstreams, classified in class 382, subclass 276.

The inventions are distinct, each from the other because of the following reasons:

Inventions I and II are related as subcombinations disclosed as usable together in a single combination. The subcombinations are distinct from each other if they are shown to be separately usable. In the instant case, each one of the inventions recited in groups I and II are separately usable in a system not having the other.

### ORIGINAL PRESENTATION

Newly submitted claims 37-45 directed to an invention that is independent or distinct from the invention originally claimed for the following reasons: they are related as subcombinations disclosed as usable together in a single combination (see the restrictions as set forth above).

Since applicant has received an action on the merits for the originally presented invention, this invention has been constructively elected by original presentation for prosecution on the merits. Accordingly, claims 37-45 are withdrawn from

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**consideration as being directed to a non-elected invention.** See 37 CFR 1.142(b) and MPEP § 821.03.

The rejection of claim 32 under 35 U.S.C. 112, second paragraph, has been withdrawn since Applicant has amended claim 32 to be depended on claim 25 (Paper No. 10).

### ***Claim Rejections - 35 USC § 103***

The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

Claims 1-5, 8-16, 19-28 and 32 are rejected under 35 U.S.C. 103(a) as being unpatentable over Slotznick (6,011,537) in view of Kashiwagi et al (6,037,939) and Tarantino et al (6,192,393).

Regarding claim 1, Slotznick discloses (Figs. 4-6) a method comprising:  
displaying a first image (Fig. 4, the man's face thumbnail image) at a first resolution level;  
identifying a location in the first image (Click here for full picture); and  
generating a second image (Fig. 5) for displaying at a second resolution level (full image) different than the first resolution level in response to user input via a user input mechanism (pointing device 18), wherein generating the second image comprises

combining data from the first image with additional image data (downloaded data). See column 20, lines 58-64; and column 21, line 52 to column 22, line 7.

The only different between the disclosure of Slotznick and the claimed invention is that claim 1 requires that the second resolution level is dependant on a number of utilizations of the user input mechanism.

However, Kashiwagi et al discloses (Figs. 1-5 and 12-14) a method for continuously zooming an image window, wherein the zoom ratio (resolution level) increase/decrease by 1% every time an instruction is input via the input mechanism (406). See column 7, line 52 to column 8, line 65; and column 12, lines 17-22; and column 15, line 1 to column 16, line 64. It is obvious to a person of ordinary skill in the art to use the method of gradually magnification/reduction an image window dependant on a number of times the input device being used, as taught by Kashiwagi, into the thumbnail image display device of Slotznick so that the computer user can enlarge an image window to a desired operable size without covering all of the information laying underneath the enlarging window. Furthermore, instead of transferring the entire file, the amount of data to be transferred from the server to the client can be partially reduced which yields a faster processing time.

Regarding to the new limitation added to the claim "reusing the first image at the first resolution level", which is referring to PANNING of an image as illustrated in Fig. 3 of the Applicant's specification, page 17, lines 5-8.

Slotznick clearly discloses (Figs. 4 and 5) the reusing of the first image at the first resolution level as shown in (Fig. 4, the man's head), to display the second image at the second resolution level (Fig. 5, the man's head with the tree).

Furthermore, the newly cited reference Tarantino et al (6,192393) teach (Figs. 1-3) the conventional panning technique in a window display environment. Thus, it is obvious to the person of ordinary skill in the art to incorporate the teachings of conventional zooming and panning of Tarantino into the window display system of Slotznick to provide the window display system of Slotznick with the capability of zooming and panning the images which provides a more user friendly graphical display for the computer user.

Regarding claim 2, Slotznick discloses (Fig. 4) positioning a cursor over the location (Click here for full picture).

Regarding claims 3 and 5, Slotznick further discloses "input pointing devices include alphanumeric keypads, number keypads, pointing devices (including but not limited to track balls, mouse pointer, and touch pads), touch screens, handwriting input pressure pads or light pens...)(column 6, lines 45-49). Furthermore, various input mechanism such as computer mouse, keyboard, buttons, or touch pad was well known in the art to be interchangeable and still providing a same equivalent computer inputting functions.

Regarding claim 4, note the rejection as set forth above with respect to claim 3.

Regarding claim 8, Slotznick discloses (Fig. 4) the first image (man's face) is a thumbnail image.

Regarding claim 9, Slotznick discloses accessing additional image data (downloaded data) over a network. See column 3, lines 37-43.

Regarding claim 10, Slotznick discloses (Figs. 4-5) decompressing (enlarging) the additional image data.

Regarding claims 11-12, Slotznick discloses (Figs. 4-6) displaying the first and second images in a browser window.

Regarding claim 13, Slotznick discloses (Figs. 4-6) a method comprising:  
displaying a first image (Fig. 4, the man's face thumbnail image) at a first resolution level;

identifying a location in the first image (Click here for full picture); and  
generating a second image (Fig. 5) for displaying at a second resolution level (full image) different than the first resolution level in response to user input via a user input mechanism (pointing device 18), wherein generating the second image comprises combining data from the first image with additional image data (downloaded data). See column 20, lines 58-64; and column 21, line 52 to column 22, line 7.

The only different between the disclosure of Slotznick and the claimed invention is that claim 1 requires that the second resolution level is dependant on a number of utilizations of the user input mechanism.

However, Kashiwagi et al discloses (Figs. 1-5 and 12-14) a method for continuously zooming an image window, wherein the zoom ratio (resolution level) increase/decrease by 1% every time an instruction is input via the input mechanism (406). See column 7, line 52 to column 8, line 65; and column 12, lines 17-22; and column 15, line 1 to column 16, line 64. It is obvious to a person of ordinary skill in the art to use the method of gradually magnification/reduction an image window dependant on a number of times the input device being used, as taught by Kashiwagi, into the thumbnail image display device of Slotznick so that the computer user can enlarge an image window to a desired operable size without covering all of the information laying underneath the enlarging window. Furthermore, instead of transferring the entire file, the amount of data to be transferred from the server to the client can be partially reduced which yields a faster processing time.

Regarding to the new limitation added to the claim "reusing the first image at the first resolution level", which is referring to PANNING of an image as illustrated in Fig. 3 of the Applicant's specification, page 17, lines 5-8.

Slotznick clearly discloses (Figs. 4 and 5) the reusing of the first image at the first resolution level as shown in (Fig. 4, the man's head), to display the second image at the second resolution level (Fig. 5, the man's head with the tree).

Furthermore, the newly cited reference Tarantino et al (6,192,393) teach (Figs. 1-3) the conventional panning technique in a window display environment. Thus, it is obvious to the person of ordinary skill in the art to incorporate the teachings of



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conventional zooming and panning of Tarantino into the window display system of Slotznick to provide the window display system of Slotznick with the capability of zooming and panning the images which provides a more user friendly graphical display for the computer user.

Regarding claim 14, Slotznick discloses (Fig. 4) positioning a cursor over the location ([Click here for full picture](#)).

Regarding claims 15 and 16, Slotznick further discloses "input pointing devices include alphanumeric keypads, number keypads, pointing devices (including but not limited to track balls, mouse pointer, and touch pads), touch screens, handwriting input pressure pads or light pens...)(column 6, lines 45-49). Furthermore, various input mechanism such as computer mouse, keyboard, buttons, or touch pad was well known in the art to be interchangeable and still providing a same equivalent computer inputting functions.

Regarding claim 19, Slotznick discloses (Fig. 4) the first image (man's face) is a thumbnail image.

Regarding claims 20-21, Slotznick discloses accessing additional image data (downloaded data) over a network. See column 3, lines 37-43.

Regarding claim 22, Slotznick discloses (Figs. 4-5) decompressing (enlarging) the additional image data.

Regarding claims 23-24, Slotznick discloses (Figs. 4-6) displaying the first and second images in a browser window.

Regarding claim 25, Slotznick discloses (Figs. 4-6) a method comprising:  
displaying a first image (Fig. 4, the man's face thumbnail image) at a first resolution level;  
identifying a location in the first image (Click here for full picture); and  
generating a second image (Fig. 5) for displaying at a second resolution level (full image) different than the first resolution level in response to user input via a user input mechanism (pointing device 18), wherein generating the second image comprises combining data from the first image with additional image data (downloaded data). See column 20, lines 58-64; and column 21, line 52 to column 22, line 7.

The only different between the disclosure of Slotznick and the claimed invention is that claim 1 requires that the second resolution level is dependant on a number of utilizations of the user input mechanism.

However, Kashiwagi et al discloses (Figs. 1-5 and 12-14) a method for continuously zooming an image window, wherein the zoom ratio (resolution level) increase/decrease by 1% every time an instruction is input via the input mechanism (406). See column 7, line 52 to column 8, line 65; and column 12, lines 17-22; and column 15, line 1 to column 16, line 64. It is obvious to a person of ordinary skill in the art to use the method of gradually magnification/reduction an image window dependant on a number of times the input device being used, as taught by Kashiwagi, into the

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thumbnail image display device of Slotznick so that the computer user can enlarge an image window to a desired operable size without covering all of the information laying underneath the enlarging window. Furthermore, instead of transferring the entire file, the amount of data to be transferred from the server to the client can be partially reduced which yields a faster processing time.

Regarding to the new limitation added to the claim "reusing the first image at the first resolution level", which is referring to PANNING of an image as illustrated in Fig. 3 of the Applicant's specification, page 17, lines 5-8.

Slotznick clearly discloses (Figs. 4 and 5) the reusing of the first image at the first resolution level as shown in (Fig. 4, the man's head), to display the second image at the second resolution level (Fig. 5, the man's head with the tree).

Furthermore, the newly cited reference Tarantino et al (6,192,393) teach (Figs. 1-3) the conventional panning technique in a window display environment. Thus, it is obvious to the person of ordinary skill in the art to incorporate the teachings of conventional zooming and panning of Tarantino into the window display system of Slotznick to provide the window display system of Slotznick with the capability of zooming and panning the images which provides a more user friendly graphical display for the computer user.

Regarding claim 26, Slotznick discloses (Fig. 4) positioning a cursor over the location (Click here for full picture).

Regarding claims 27 and 28, Slotznick further discloses "input pointing devices include alphanumeric keypads, number keypads, pointing devices (including but not limited to track balls, mouse pointer, and touch pads), touch screens, handwriting input pressure pads or light pens...)(column 6, lines 45-49). Furthermore, various input mechanism such as computer mouse, keyboard, buttons, or touch pad was well known in the art to be interchangeable and still providing a same equivalent computer inputting functions.

Regarding claim 32, Slotznick discloses accessing additional image data (downloaded data) over a network. See column 3, lines 37-43.

Claims 33-34 are rejected under 35 U.S.C. 103(a) as being unpatentable over Slotznick ('537) in view of Wirth et al (6,476,831) and Tarantino et al (6,192,393).

Regarding claim 33, Slotznick discloses (Figs. 4-6) a method comprising:  
displaying a first image (Fig. 4, the man's face thumbnail image) at a first resolution level;  
identifying a location in the first image (Click here for full picture); and  
generating a second image (Fig. 5) for displaying at a second resolution level (full image) different than the first resolution level in response to user input via a user input mechanism (pointing device 18), wherein generating the second image comprises

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combining data from the first image with additional image data (downloaded data). See column 20, lines 58-64; and column 21, line 52 to column 22, line 7.

The only difference between the disclosure of Slotznick and the claimed invention is the claim 33 requires the step of panning images, wherein the image data in the display window is moved in a direction opposite to the panning direction.

However, it is well known in the art that a property commonly associated with a window is the ability to "scroll" or "pan" the window. Scrolling or panning is used when the item displayed in a window, for example a graphic image in a drawing program or a document in a word processing program, is too large to be displayed in the window all at the same time. In this case, the window can often be "scrolled" or "panned" to a new position relative to the underlying image or document such that the window shows portions of the underlying image or document that previously were outside of the portion shown in the window. The term "scrolling" shall be used to refer to both scrolling and panning. Thus, since Slotznick discloses a plurality of image in the windows environment, it is obvious to the person of ordinary skill in the art to incorporate the teachings of conventional window scrolling or panning to provide the display window system of Slotznick with the capability of zooming, scrolling or panning the images which provides a more user friendly graphical display for the computer user.

On the other hand, Wirth also discloses (Figs. 1-5) the step of identifying a panning (scrolling) direction in the first image (document 21); and moving the image data in the display window (20) in a direction opposite to the panning direction. See column 6, lines 62-67; and column 7, lines 17-18. It is obvious to the person of ordinary

skill in the art to use the method of panning or scrolling an window of Wirth into the display window system of Slotznick to provide the display window of Slotznick with the capability of zooming, scrolling or panning the images which provides a more user friendly graphical display for the computer user.

Regarding to the new limitation added to the claim "reusing the first image at the first resolution level", which is referring to PANNING of an image as illustrated in Fig. 3 of the Applicant's specification, page 17, lines 5-8.

Slotznick clearly discloses (Figs. 4 and 5) the reusing of the first image at the first resolution level as shown in (Fig. 4, the man's head), to display the second image at the second resolution level (Fig. 5, the man's head with the tree).

Furthermore, the newly cited reference Tarantino et al (6,192393) teach (Figs. 1-3) the conventional panning technique in a window display environment. Thus, it is obvious to the person of ordinary skill in the art to incorporate the teachings of conventional zooming and panning of Tarantino into the window display system of Slotznick to provide the window display system of Slotznick with the capability of zooming and panning the images which provides a more user friendly graphical display for the computer user.

Regarding claim 34, it is well known in the art that a user can pan a window by placing a cursor on the edge of the window and "drag" the edge of the window in the direction of panning to enlarge or scroll the displayed textual information on a window.

***Response to Arguments***

Applicant's arguments filed February 20, 2004 have been fully considered but they are not persuasive.

**New Claims 37-45**

Regarding to the Applicant's remarks to the new claims 37-45, they are related as subcombinations disclosed as usable together in a single combination (see the restrictions as set forth above).

Since applicant has received an action on the merits for the originally presented invention, this invention has been constructively elected by original presentation for prosecution on the merits. Accordingly, **claims 37-45 are withdrawn from consideration as being directed to a non-elected invention.** See 37 CFR 1.142(b) and MPEP § 821.03.

**Claims 1-5, 8-16, 19-28, and 32**

Applicant argues, on page 10, that "Slotznick does not teach or suggest generating an image". However, it is well known in the art that when an image is displayed on the screen that means the image is generated by the computer system to display the image on the screen.

In response to applicant's arguments against the Slotznick, Kashiwagi, and Tarantino references individually (on page 10), one cannot show nonobviousness by attacking references individually where the rejections are based on combinations of

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references. See *In re Keller*, 642 F.2d 413, 208 USPQ 871 (CCPA 1981); *In re Merck & Co.*, 800 F.2d 1091, 231 USPQ 375 (Fed. Cir. 1986).

Regarding to the new limitation "reusing the first image at the first resolution level",

which is referring to PANNING of an image as illustrated in Figs. 3A-3C of the Applicant's specification, page 17, lines 7-8 "Figures 3A-C illustrate use of the data reuse technique described herein for panning".

Slotznick clearly discloses (Figs. 4 and 5) the reusing of the first image at the first resolution level as shown in Fig. 4 (the man's head), to display the second image at the second resolution level (Fig. 5, the man's head with the tree). Furthermore, the newly cited reference Tarantino et al (6,192,393) teach the conventional panning technique in a window display environment (see Figs. 1-3).

Slotznick further teaches generating a second image (Fig. 5) for displaying at a second resolution level (full image) different than the first resolution level in response to user input via a user input mechanism (pointing device 18), wherein generating the second image comprises combining data from the first image with additional image data (downloaded data). See column 20, lines 58-64; and column 21, line 52 to column 22, line 7.

#### Claims 33 and 34

It is well known in the art that a property commonly associated with a window is the ability to "scroll" or "pan" the window. Scrolling or panning is used when the item displayed in a window, for example a graphic image in a drawing program or a



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document in a word processing program, is too large to be displayed in the window all at the same time. In this case, the window can often be "scrolled" or "panned" to a new position relative to the underlying image or document such that the window shows portions of the underlying image or document that previously were outside of the portion shown in the window. The term "scrolling" shall be used to refer to both scrolling and panning. Thus, since Slotznick discloses a plurality of image in the windows environment, it is obvious to the person of ordinary skill in the art to incorporate the teachings of conventional window scrolling or panning to provide the display window system of Slotznick with the capability of zooming, scrolling or panning the images which provides a more user friendly graphical display for the computer user.

On the other hand, Wirth also discloses (Figs. 1-5) the step of identifying a panning (scrolling) direction in the first image (document 21); and moving the image data in the display window (20) in a direction opposite to the panning direction. See column 6, lines 62-67; and column 7, lines 17-18. It is obvious to the person of ordinary skill in the art to use the method of panning or scrolling an window of Wirth into the display window system of Slotznick to provide the display window of Slotznick with the capability of zooming, scrolling or panning the images which provides a more user friendly graphical display for the computer user.

### ***Conclusion***

This is a R.C.E. of applicant's earlier Application No. 09/808,476. All claims are drawn to the same invention claimed in the earlier application and could have been finally rejected on the grounds and art of record in the next Office action if they had

been entered in the earlier application. Accordingly, **THIS ACTION IS MADE FINAL** even though it is a first action in this case. See MPEP § 706.07(b). Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire **THREE MONTHS** from the mailing date of this action. In the event a first reply is filed within **TWO MONTHS** of the mailing date of this final action and the advisory action is not mailed until after the end of the **THREE-MONTH** shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no, however, event will the statutory period for reply expire later than **SIX MONTHS** from the mailing date of this final action.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to LUU MATTHEW whose telephone number is (703) 305-4850. The examiner can normally be reached on 9 hrs.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, RAZAVI MICHAEL can be reached on (703) 305-4713. The fax phone number for the organization where this application or proceeding is assigned is (703) 872-9314.

Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the receptionist whose telephone number is (703) 305-4700.

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M. Luu  
June 9, 2004

A handwritten signature in black ink, appearing to read 'Matthew Luu', followed by a stylized flourish or checkmark.

**MATTHEW LUU**  
**PRIMARY EXAMINER**